

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DEANDRE THOMPSON,

Petitioner,

v.

W.A. SHERROD,

Respondent.

Case No. 09-cv-436-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is a Report and Recommendations (“R&R”) (Doc. 12), issued on October 26, 2010, by United States Magistrate Judge Frazier recommending that Thompson’s § 2241 petition for writ of habeas corpus (Doc. 1) be transferred to the U.S. District Court for the Western District of Louisiana. The R&R notes that the request for transfer was made by Respondent and was unopposed by Petitioner (Doc. 12, p. 2). The R&R also noted that although Petitioner was housed in this District when he originally filed his Petition, while it was pending threshold review, Petitioner was transferred to Federal Correctional Institute in

Pollock, Louisiana, but Petitioner failed to notify the Court of this transfer (*Id.* at 1). In addition, Petitioner's incarceration stemmed from federal charges arising out of the U.S. District Court for the Eastern District of Missouri. Further, the R&R found that because the proper respondent should be Petitioner's current custodian, the habeas litigation should be conducted in the district where Petitioner is confined, which is also where his custodian may be found (*Id.* at 2). Therefore, the R&R recommended the transfer as this District is no longer the appropriate forum to decide Petitioner's habeas suit.

Upon issuance, the R&R was sent to the parties with a notice informing them of their right to appeal by way of filing "objections" within fourteen days of service (see Doc. 12-2). Neither party has filed timely objections to the R&R. Therefore, pursuant to **28 U.S.C. § 636(b)** this Court need not conduct a *de novo* review. ***Thomas v. Arn, 474 U.S. 140, 149-52 (1985)***. Accordingly, the Court **ADOPTS** the R&R (Doc. 12) in its entirety. As such, this matter is hereby **TRANSFERRED** pursuant to **42 U.S.C. § 2241(b)** to the United States District Court for the Western District of Louisiana.

IT IS SO ORDERED.

Signed this 1st day of December, 2010.


David R. Herndon
2010.12.01
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Chief Judge
United States District Court